

IN THE MATTER OF	*	BEFORE THE ALCOHOLIC
THE APPLICATION OF JEFFREY	*	
JAMES ARMAN, DAVID UPTON	*	BEVERAGE HEARING BOARD
CARNEY, AND SUSAN O'CONNOR ON	*	
BEHALF OF CORKSCREW, LLC, t/a THE	*	FOR
WINE BIN, FOR A RESIDENT AGENT	*	
CHANGE ON A CLASS A-1 BEER,	*	HOWARD COUNTY, MARYLAND
WINE, AND LIQUOR 7-DAY OFF-SALE	*	
LICENSE	*	Case No.: 16-14

DECISION AND ORDER

The Board of License Commissioners for Howard County, Maryland (the "Liquor Board"), pursuant to Rule 1.02(A) of the Liquor Board Rules and Regulations, has delegated the authority to hear and decide cases to the Alcoholic Beverage Hearing Board for Howard County, Maryland (the "Hearing Board").

On March 8 and 22, 2016, the Hearing Board heard the application of Jeffrey James Arman, David Upton Carney, and Susan O'Connor (the "Applicants"), on behalf of Corkscrew, LLC, t/a The Wine Bin ("Corkscrew, LLC"), for a resident agent change from Giuliana Cox to Jeffrey James Arman on the Class A-1 Beer, Wine, and Liquor, 7-day off-sale license for a 3,800 square foot package goods store located at 8390 Main Street, Ellicott City, Maryland 21043. The hearing was properly advertised pursuant to Article 2B of the Annotated Code of Maryland. The Applicants were not represented by an attorney. There were no protestants who appeared in opposition to the application.

All the documents on file were incorporated into the record by reference. These include the following: the application for a resident agent change; a copy of the minutes of Corkscrew,

LLC, dated October 14, 2015; a copy of the Articles of Organization of Corkscrew, LLC; a copy of the Charter approval sheet for Corkscrew, LLC; a copy of a certification from the State of Maryland Department of Assessments and Taxation, that Corkscrew, LLC is registered; the background investigation questionnaires for the Applicants; a memorandum dated January 12, 2016, from the Liquor Board to the Alcohol Beverage Inspector, the Department of Inspections, Licenses, and Permits, the Bureau of Environmental Health, the Department of Planning and Zoning, and the Office of the Fire Marshal; the background investigations of the Applicants by the Alcohol Beverage Inspector, dated February 23, 2016; a letter dated January 29, 2016, from the Office of the Fire Marshal; a memorandum dated January 29, 2016, from the Department of Planning and Zoning; a letter dated January 12, 2016, to the Department of Finance; a letter from the Department of Finance; a copy of the Manual Certification Report for Corkscrew, LLC, dated March 1, 2016, from the State of Maryland Department of Assessments and Taxation; a letter dated January 5, 2016, to the Comptroller of the Treasury; a letter dated February 1, 2016, from the Comptroller of the Treasury; an email dated January 21, 2016, from the Liquor Board Administrator to the Applicants enclosing a letter dated January 21, 2016, with notification of the hearing date and the necessity to advertise; and an e-mail dated February 24, 2016, from the Alcoholic Beverage Inspector stating the premises had been posted.

The hearing was continued to March 22, 2016, to ensure legal sufficiency of the posting of the property at The Wine Bin. On March 22, 2016, the Hearing Board continued the hearing for Corkscrew, LLC, t/a The Wine Bin. There were no protestants.

SUMMARY OF TESTIMONY

David Upton Carney, managing partner and 60% shareholder for Corkscrew, LLC, t/a The Wine Bin, was sworn and testified that they are applying for a resident agent change from Giuliana Cox, because she is moving out of Howard County. Mr. Carney testified that they are requesting to replace her with Jeffrey James Arman.

Jeffrey James Arman, 10% shareholder for Corkscrew, LLC, was sworn and testified that he has lived in Howard County for most of his life, including 23 years at his current address, is a registered voter, and is alcohol awareness certified. Mr. Arman testified that he has been volunteering on Saturdays at The Wine Bin for approximately three years, and that he has been friends with Mr. Carney for approximately four to five years. Mr. Arman testified that when Mr. Carney approached him about becoming the resident agent, he thought it made sense, because he was already assisting at the store.

Mr. Arman testified that he has read the rules and regulations governing the sale of alcoholic beverages, and that he will abide by them.

Based on the evidence presented at the hearing, the Alcoholic Beverage Hearing Board makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The Hearing Board finds that Jeffrey James Arman, David Upton Carney, and Susan O'Connor on behalf of Corkscrew, LLC, t/a The Wine Bin, have applied for a resident agent change from Giuliana Cox to Jeffrey James Arman on the Class A-1 Beer, Wine, and Liquor, 7-day off-sale license for a 3,800 square foot package goods store located at 8390 Main Street, Ellicott City, Maryland 21043.

2. The Hearing Board finds that the Applicants are fit and proper persons to hold an alcoholic beverage license.

3. The Hearing Board finds that Jeffrey James Arman has been a Howard County resident for more than two years, is a registered voter, and a 10% shareholder of Corkscrew, LLC, t/a The Wine Bin.

4. The Hearing Board finds that the granting of the application is necessary for the accommodation of the public.

5. The Hearing Board finds that the granting of this application will not unduly disturb the peace and safety of the residents of the neighborhood.

CONCLUSIONS OF LAW

1. The Hearing Board concludes that Jeffrey James Arman, David Upton Carney, and Susan O'Connor on behalf of Corkscrew, LLC, t/a The Wine Bin have applied for a resident agent change from Giuliana Cox to Jeffrey James Arman on the Class A-1 Beer, Wine, and Liquor, 7-day off-sale license for a 3,800 square foot package goods store located at 8390 Main Street, Ellicott City, Maryland 21043.

2. The Hearing Board concludes that the Applicants are fit and proper persons to hold an alcoholic beverage license.

3. The Hearing Board concludes that Jeffrey James Arman meets the requirements of Rules 1.09(T), 1.09(U), 2.06, and 2.10 of the Liquor Board Rules and Regulations concerning resident agent qualifications.

4. The Hearing Board concludes that the granting of the application is necessary for the accommodation of the public.

5. The Hearing Board concludes that the granting of this application would not unduly disturb the peace and safety of the neighborhood.

ORDER

For the foregoing reasons, it is this 6th day of April, 2016, by the Alcoholic Beverage Hearing Board of Howard County **ORDERED** that the application of Jeffrey James Arman, David Upton Carney, and Susan O'Connor on behalf of Corkscrew, LLC, t/a The Wine Bin for a resident agent change from Giuliana Cox to Jeffrey James Arman on the Class A-1 Beer, Wine, and Liquor, 7-day off-sale license for a 3,800 square foot package goods store located at 8390 Main Street, Ellicott City, Maryland 21043, be and the same is hereby **GRANTED**, subject to the following conditions:

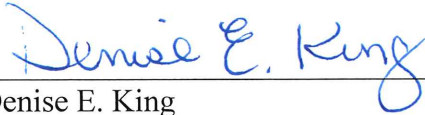
1. That this **PROPOSED DECISION AND ORDER** shall become final when the Applicants obtain the license and comply with the following conditions:

(a) That the Applicants comply with all State and County Rules and Regulations; and

(b) Failure to comply with these conditions and obtain the license by April 29, 2016, shall render this Proposed Decision and Order null and void.

ATTEST:

ALCOHOLIC BEVERAGE HEARING
BOARD OF HOWARD COUNTY,
MARYLAND



Denise E. King
Administrator

Mary Bird, Chairperson

ABSENT

Harry Evans, III, Vice-Chairperson


REVIEWED BY HOWARD COUNTY
OFFICE OF LAW
GARY W. KUC
COUNTY SOLICITOR



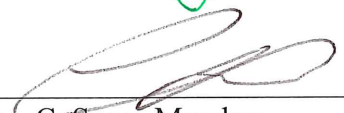
Charles C. Feaga, Member



Heather Gaetano, Member



Lewis Taylor, Esquire
Assistant County Solicitor



Charley C. Sung, Member